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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
SANDRA D. KENNEDY
PAUL NEWMAN
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2009 NOV 24 A 9:39

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE FORMAL
COMPLAINT OF CHARLES J. DAINS AGAINST
RIGBY WATER COMPANY

DOCKET NO. W-01808A-09-0137

MOTION TO CONTINUE HEARING

1 Charles J. Dains ("Mr. Dains") hereby moves to continue the hearing scheduled in the
2 above-captioned docket.

3 By Procedural Order dated November 9, 2009, Judge Kinsey scheduled an evidentiary
4 hearing in this matter for December 2, 2009. Sadly, on November 18, 2009, Mr. Dains passed
5 away after a brief illness.

6 Mr. Dains' son, Charles J. Dains Jr., is expected to take over for his father in this case,
7 but he will need some time to take care of family business and prepare for the hearing. Further
8 complicating this matter, Mr. Dains' mother fell and broke her hip on November 19, 2009 — the
9 day after Mr. Dains Sr. passed away — and is currently hospitalized after emergency surgery.
10 She was responsible for many of the family records,

11 Mr. Dains moves to indefinitely continue the December 2, 2009, hearing until further
12 notice. We have discussed this request with the other parties and have been advised that they do
13 not object to our request. When we have more information, we will discuss a procedural
14 schedule with the other parties and move to reset the hearing date.

15 We regret any inconvenience to the Judge, Commission Staff, or Rigby Water.

Arizona Corporation Commission


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1 RESPECTFULLY SUBMITTED on November 23, 2009.
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13 Original and 13 copies **mailed**
14 on November 23, 2009, to:
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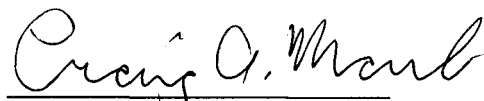
16 Docket Control
17 Arizona Corporation Commission
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